

Texas Woman's University University Regulation and Procedure

Regulation and Procedure Name: Longevity and Hazardous Duty Pay

**Regulation and Procedure
Number: URP: 05.415**

Policy Owner: Finance and Administration

POLICY STATEMENT

The purpose of this policy is to provide for the administration of longevity pay and hazardous duty pay at Texas Woman's University ("TWU" or "University").

APPLICABILITY

This policy is applicable to TWU Student Employees and Staff.

DEFINITIONS

1. "Lifetime Service Credit for hazardous duty pay purposes" means the number of months the employee has served in a hazardous duty position at a state agency during the employee's lifetime and includes employment in a hazardous duty position with a public junior college.
2. "Lifetime Service Credit for longevity pay purposes" means employment with the state as a full-time, part-time, temporary, or academic employee, including student employment, or a member of the legislature. This excludes any period in which the employee serves as an officer or employee with an independent school district or a public junior and community college.
3. "Longevity Pay" means an earned benefit based on total state service, not including public junior and community college or time worked at independent school districts. Longevity pay is paid each month in addition to base salary.
4. "Hazardous Duty Pay" means an earned benefit based on each 12-month period of accrued lifetime service credit in a hazardous position.
5. "Hazardous Duty Position" means a position in the service of the State that requires the performance of hazardous duty.

6. "Peace Officer" means an employee of TWU's Police Department who is commissioned to serve as a peace officer under Article 2.12, Code of Criminal Procedure and Section 51.203, Texas Education Code.
7. "Staff" means a regular full-time (100% FTE) staff who is employed to work for a period of at least four and one-half months, with a normal schedule of forty hours per week, excluding students employed in positions which require student status as a condition of employment.
8. "Student Employee" means a TWU student employed in a temporary position for which student status is required. Student Employees include Graduate Assistants, Graduate Teaching Assistants, Graduate Research Assistants, and Student Assistants.

REGULATION AND PROCEDURE

I. Regulations for Longevity Pay

Texas Woman's University provides longevity pay to eligible employees in accordance with State Law. A regular full-time staff employee of Texas Woman's University, who qualifies under the eligibility provisions of this policy, will be entitled to longevity pay at the rate of twenty dollars (\$20) per month for every two (2) years of lifetime service credit for longevity pay purposes as an employee of the State up to and including forty-two (42) years of service. Such pay will commence at the end of the second year of State service and will be increased at the end of each two (2) years thereafter.

A. Eligibility

1. To be eligible for longevity pay, an employee must:
 - a. Be a full-time staff employee working forty (40) hours per workweek.
 - b. Be in a paid status on the first workday of the month.
 - c. Have accrued twenty-four (24) months of lifetime service credit for longevity pay purposes not later than the last day of the preceding month.
2. Specific rules for determining longevity pay eligibility are:
 - a. An employee who qualifies under the eligibility definitions cited above on the first day of the month is entitled to longevity pay for that month, provided none of the employee's full-time

equivalent (FTE) status for any part of the month is from teaching academic courses.

- b. An eligible employee who enters leave without pay status or whose employment with TWU terminates after the first day of the month is entitled to full longevity for the month. Longevity pay is not prorated.
 - c. An eligible employee who transfers from one State agency to another State agency after the first day of the month is entitled to payment of full longevity pay for the month by the State agency employing the individual on the first day of the month.
 - d. Longevity pay will not be considered in the calculation of the lump-sum vacation pay of an eligible employee whose employment with TWU terminates or the calculation of vacation and sick leave death benefits payable to the estate of the deceased employee.
3. The following employees are not eligible for longevity pay:
- a. A part-time employee;
 - b. A temporary employee;
 - c. A faculty member;
 - d. An employee who retired from State employment on or after June 1, 2005, and receives an annuity based wholly or partly on service as a State employee in a public retirement system that was credited to the employee; and
 - e. An employee who retired from State employment before June 1, 2005, and returned to State employment on or after September 1, 2005.

B. Creditable Service

1. For purposes of determining the years of State service of an employee for longevity pay, all prior employment with Texas Woman's University or with any other State of Texas agency or institution or State legislative service will be counted. Service with independent school districts or public junior and community colleges, are not eligible for longevity pay purposes.
2. Lifetime service credit for longevity pay purposes is based on all employment with the State regardless of whether the individual

was a student during the service, including full-time, part-time, temporary, faculty, and legislative service.

3. A faculty member who accepts a position as a staff employee is entitled to lifetime service credit for longevity pay purposes for the actual length of the faculty appointment. The credit for service in the faculty appointment is included when determining longevity pay.
4. An employee who is on leave without pay for an entire calendar month does not accrue lifetime service credit for the month. An employee who is on leave without pay for less than an entire month accrues lifetime service credit for the month if the employee otherwise qualifies to accrue credit. An employee who simultaneously holds two (2) or more positions that each accrues lifetime service credit accrues credit for only one of the positions.
5. Employees previously employed by other institutions and agencies of Texas must provide to the Office of Human Resources (“OHR”) employment verification from their prior employer(s) containing the beginning and ending dates of each period of employment. This documentation will be retained in the employee's personnel file.
6. A former employee who left a position of employment with Texas Woman's University for the purpose of entering active military service is entitled upon return to employment with Texas Woman's University to have the time on active duty, not to exceed five (5) years, counted as creditable service for purposes of longevity pay. Documentation showing the period of military service must be furnished by the employee and retained on file by the Office of Human Resources.
7. The amount of an employee's lifetime service credit does not include the period served in a hazardous duty position if the employee is also entitled to receive hazardous duty pay. An employee's lifetime service credit includes the prior period served in a hazardous duty position if the employee is not currently entitled to hazardous duty pay.

C. Longevity Pay for Return-to-Work Retirees

1. Special provisions apply to longevity pay for return-to-work retirees. Retirement from state employment includes retirement from the Teacher Retirement System of Texas, the Employees Retirement System of Texas, and retirement under an Optional Retirement Program.

2. A state employee who retired from state employment before June 1, 2005, and who returned to state employment before September 1, 2005, is eligible to receive longevity pay, in the same amount the employee was entitled to receive immediately before September 1, 2005. The amount of longevity pay to which the employee is entitled is frozen and will not increase regardless of the amount of lifetime service credit accrued after returning to work.
3. A state employee who retired from state employment before June 1, 2005, and who returns to state employment on or after September 1, 2005, is not entitled to receive longevity pay.
4. A state employee who retired from state employment before June 1, 2005, and returned to state employment before September 1, 2005, but later terminates employment and returns a second time is no longer eligible to receive longevity pay.

D. Payment

1. Upon completion of two (2) years of service, longevity pay begins on the first day of the next month at the rate of twenty dollars (\$20) per month and continues at that rate until the completion of another two-year increment, when it increases to the next level. When an employee reaches the next level for longevity pay during a month, the increase in longevity pay will be effective the first day of the following month.

2. Longevity Pay Table

State Service in Years	Monthly Longevity Pay
Less than 2	\$0
Over 2 but less than 4	\$20.00
Over 4 but less than 6	\$40.00
Over 6 but less than 8	\$60.00
Over 8 but less than 10	\$80.00
Over 10 but less than 12	\$100.00
Over 12 but less than 14	\$120.00

State Service in Years	Monthly Longevity Pay
Over 14 but less than 16	\$140.00
Over 16 but less than 18	\$160.00
Over 18 but less than 20	\$180.00
Over 20 but less than 22	\$200.00
Over 22 but less than 24	\$220.00
Over 24 but less than 26	\$240.00
Over 26 but less than 28	\$260.00
Over 28 but less than 30	\$280.00
Over 30 but less than 32	\$300.00
Over 32 but less than 34	\$320.00
Over 34 but less than 36	\$340.00
Over 36 but less than 38	\$360.00
Over 38 but less than 40	\$380.00
Over 40 but less than 42	\$400.00
42 or more	\$420.00

3. Longevity pay is an integral part of each eligible employee's gross compensation and is subject to the same payroll deductions (Federal taxes and Retirement).
4. A change in the status occurring during the month will be effective on the first day of the following month. For example:
 - a. An employee appointed on September 1 of a given year will complete two years of service on August 31, two years later.

Eligibility for longevity pay begins on the first day of the next month, September 1.

- b. An employee appointed on September 2 of a given year will complete two years of service on September 1, two years later. Eligibility for longevity pay begins on the first day of the next month, October 1.
 - c. An employee who increases to full-time during a month, becomes eligible for longevity pay the following month, provided the employee meets all other eligibility criteria.
5. Longevity pay will not be prorated. The full amount of longevity pay will be paid to an individual who ceases to be an employee after the first workday of the month.
6. Separate lump sum payment for longevity pay is not authorized; payment is included only in the regular paychecks of employees.

II. Regulations for Hazardous Duty Pay

Texas Woman's University provides hazardous duty pay to peace officers in the amount of ten dollars (\$10) per month for each year of service in a hazardous duty position or as otherwise provided by law.

A. Eligibility

- 1. To be eligible for hazardous duty pay, an employee must:
 - a. Be a Peace Officer who has completed at least twelve (12) months of lifetime service credit for hazardous duty pay purposes as of the last day of the preceding month and who is employed for any portion of the first workday of the month; or
 - b. Be an employee who received hazardous duty pay before May 29, 1987, based on the terms of any State law.
- 2. Specific rules for determining hazardous duty pay eligibility are:
 - a. An employee who receives hazardous duty pay is not eligible to receive longevity pay unless they meet the requirements of Section I.A above.

- b. An employee who receives longevity pay and transfers to a position eligible for hazardous duty pay, will continue to receive longevity pay for the years of service performed in the previously held longevity pay-eligible position(s).
- c. When computing the total years of service as a State employee, the years spent at both the nonhazardous duty job and the hazardous duty job will be included.
- d. An employee working in a position eligible for hazardous duty pay, who transfers to a position that is not eligible, will no longer receive hazardous duty pay. The employee will then receive longevity pay based on the total number of years of service as a State employee. Longevity pay will include the years of service in the position requiring the performance of hazardous duty.
- e. If a State employee is receiving longevity pay and transfers after May 29, 1987, to a position requiring the performance of hazardous duty, the employee will continue to receive longevity pay for the years of service performed in the previously held position. The employee is not entitled to additional longevity pay for the period in which the employee receives hazardous duty pay.

B. Payment

1. Payment of hazardous duty pay and changes in entitlement will be based upon 12-month increments of lifetime service credit (for hazardous duty pay purposes). After the completion of twelve (12) months of lifetime service credit, hazardous duty pay begins on the first day of the next month at the specified rate and continues at that rate until the completion of another 12-month increment. These twelve (12) months are not required to be continuous.
2. Hazardous duty pay will not be prorated for the month. The full amount of hazardous duty pay must be paid to an employee who ceases to be hazardous pay eligible after the first workday of the month.
3. A change in status occurring during the month will be effective the first day of the following month. For example:
 - a. If an employee is appointed on September 1 of a given year, and the employee completes twelve (12) months service on August 31 one year later, then the hazardous duty payment will begin on the first day of the next month, September 1.

- b. If an employee is appointed on September 2 of a given year and completes twelve (12) months service on September 1 one year later, then the hazardous duty payment will begin on the first day of the next month, October 1.

C. Calculation

- 1. The amount of a full-time employee’s hazardous duty pay for a particular month is ten dollars (\$10) for each 12-month period of lifetime service credit for hazardous pay purposes accrued by the employee as of the last day of the preceding month.

2. Hazardous Duty Pay Table

Years of Service	Monthly Hazardous Duty Pay
More than 1 and fewer than 2 years	\$10
More than 2 and fewer than 3 years	\$20
More than 3 and fewer than 4 years	\$30
More than 4 and fewer than 5 years	\$40
More than 5 and fewer than 6 years	\$50
More than 6 and fewer than 7 years	\$60
More than 7 and fewer than 8 years	\$70
More than 8 and fewer than 9 years	\$80
More than 9 and fewer than 10 years	\$90
More than 10 years	Increases \$10 for each additional year

- 3. The amount of hazardous duty pay paid to a part-time employee is proportional to the amount paid to a full-time employee.
- 4. Hazardous duty pay is not considered in calculating the amount of a lump-sum payment for vacation leave upon termination, nor in calculating a lump-sum payment of vacation and sick leave to the estate of a deceased employee.

5. Hazardous duty pay is considered in calculations for federal withholding, Old Age and Survivors Insurance (“OASI”), compensation-related group insurance, Fair Labor Standards Act (“FLSA”) overtime, and retirement contributions.
6. Hazardous duty pay is considered a part of total compensation although the base salary rate of the employee is not affected by such payment.

III. Special Notes

When conflicts arise between this policy and the state guidelines, state rules will apply.

REVIEW

This policy will remain in effect and published until it is reviewed, updated, or archived. This policy is to be reviewed once every six years. Interim review may be required as a result of updates to federal and state law or regulations, Board of Regents policies, or internal processes or procedures.

REFERENCES

Texas Government Code Chapter 659 Subchapter D

Texas Government Code Chapter 659 Subchapter L

FORMS AND TOOLS

None

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